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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/564,026	01/09/2006	Samer Ramadan	M3D.US.8	3755
Philip Decker Suite 125 1 New Hampshire Avenue Portsmouth, NH 03801			EXAMINER CHANG, AUDREY Y	
			ART UNIT 2872	PAPER NUMBER
			MAIL DATE 11/30/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

TH

Office Action Summary	Application No.		Applicant(s)	
	10/564,026		RAMADAN, SAMER	
	Examiner		Art Unit	
	Audrey Y. Chang		2872	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Objections

1. **Claims 2-3 and 6-7 are objected to because of the following informalities:**

(1). The symbols "WL" and "T" recited in the claims are confusing if they are referred to "wavelength" and "transmittance" respectively, please specify it explicitly in the claims.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over the patent issued to Beiser (PN. 4,290,675) in view of the patent issued to Sorensen et al (PN. 6,687,003).**

Beiser teaches an *eye glasses* through which *three-dimensional image* is viewed wherein the eye glasses is comprised a *red lens* and a *cyan lens* including *complementary color filtering means*. The red lens has a *red color filtering means* having a transmittance greater than 60% with 610 nm and greater of wavelength of light, (curve 103 Figure 10) and the cyan lens has a *cyan filtering means* having a transmittance peak of greater than 60% at about 480 nm wavelength of light, (curve 102, Figure 2).

Beiser teaches that the cyan filtering means also has a transmittance of *about 50%*, (i.e. within 5% of the mark 50% as shown in Figure 10), and the transmittance tends to increase as the wavelength of light is greater than 700 nm. However this reference does not teach *explicitly* about the transmittance beyond 700 nm wavelength of light. But one skilled in the art would that the visible range of wavelength

of light to human eyes is within 400 nm and 700 nm, that is to say the wavelengths beyond 700 nm is beyond the human visible range, and the transmittance concerning this range will not effect the performance of the eye glasses for viewing three-dimensional image. Nevertheless, Sorensen et al in the same field of endeavor teaches a viewing glasses for stereoscopic image viewing wherein the pair of glasses includes a cyan lens and a red lens wherein the transmittance for both the red and cyan filtering means are greater than 50% at wavelength 700 nm and greater, (please see Figure 14). It would then have been obvious to one skilled in the art to make the transmittance of cyan filtering means greater than 50% at 700 nm and greater wavelength for the benefit of allowing light at higher wavelengths to transmits through the lenses.

With regard to feature concerning "viewing 3D photo printed on an inkjet printer", although these references do not teach such explicitly however they both teach the glasses is enable for viewing 3D images. This feature is therefore being considered as intended use. It has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Madham*, 2 USPQ2d 1647 (1987).

With regard to claims 4-5, Beiser teaches that the red lens and cyan lens form a pair of glass for viewing the color-encoded stereoscopic images, (please see column 14, line 11) this implies there is a frame for holding these red lens and cyan lens in spaced relationship. Eye-glasses usually have an arrangement for each lens to be in front of an eye of the wearer, respectively. Although these references do not teach explicitly that the red lens is in front of the wearer's left eye and the cyan lens is in front of the wearer's right eye, such modification is considered to be obvious to one skilled in the art. Since the criterion for stereoscopic viewing is for the red lens to be in front of the eye for matching the red color-coded perspective image for the eye and the cyan lens to be in front of the other eye for matching the cyan

color-coded perspective image for this other eye. It would obvious to one skilled in the art to make the red lens and cyan lens to be at proper eye for enabling the stereoscopic viewing.

With regard to claims 2-3 and 6-7, both Beiser and Sorensen et al teaches transmittance curves for the red filtering means and the cyan filtering means. Although these curves may not read exactly as the numerical readings in the claimed tables, however since the red filtering means and cyan filtering taught in prior art fulfill the same functions as the claims, namely for enabling stereoscopic viewing, the minor difference in numbers therefore is considered to be obvious design choice to one skilled in the art to manipulate the subtle differences in filtering means. It does not provide novel difference for the filters with regard to the filtering means of Beiser and Sorensen et al.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Audrey Y. Chang whose telephone number is 571-272-2309. The examiner can normally be reached on Monday-Friday (8:00-4:30), alternative Mondays off.

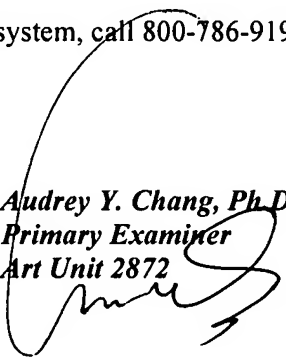
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephone B. Allen can be reached on 571-272-2434. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Audrey Y. Chang, Ph.D.
Primary Examiner
Art Unit 2872



A. Chang, Ph.D.